

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Marcus Young,

Plaintiff,

vs.

Ofc. Allah Brown; South Carolina Dept. of  
Corr.,

Defendants.

C/A No. 0:15-91-SB-PJG

**ORDER**

The plaintiff has filed this action, *pro se*, seeking relief pursuant to 42 U.S.C. § 1983. Plaintiff, an inmate with the South Carolina Department of Corrections, alleges violations of his constitutional rights by the named defendants. The defendants filed a motion for summary judgment on July 22, 2015, pursuant to the Federal Rules of Civil Procedure. (ECF No. 30.) As the plaintiff is proceeding *pro se*, the court entered an order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975) on July 23, 2015, advising the plaintiff of the importance of a motion for summary judgment and of the need for him to file an adequate response. (ECF No. 31.) The plaintiff was specifically advised that if he failed to respond adequately, the defendants' motion may be granted, thereby ending his case. This order, which was mailed to the plaintiff, was returned to the Clerk of Court on August 3, 2015, as undeliverable by the United States Postal Service. The envelope states that the plaintiff is no longer at this address and lists a forwarding address of 125 Josie Ct., Lexington, South Carolina, 29073. (See ECF No. 33 at 1.)

The court notes that when the plaintiff filed this action, he was specifically instructed as follows:

You are ordered to always keep the Clerk of Court advised **in writing** . . . if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If as a result of your failure to comply with this order, you fail to meet a deadline set by this court, **your case may be dismissed for violating this order**. Therefore, if you have a change of address before this case is ended, you must comply with this order by immediately advising the Clerk of Court in writing of such change of address . . . . Your failure to do so will not be excused by the court.

(Order, ECF No. 8 at 2) (emphasis in original). The plaintiff has failed to comply with this order.

Based on the foregoing, it is

**ORDERED** that the plaintiff shall advise the court as to whether he wishes to continue with this case and to file a response to the defendants' motion for summary judgment within fourteen (14) days from the date of this order. Plaintiff is further advised that if he fails to respond, **this action will be recommended for dismissal with prejudice for failure to prosecute**. See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b). The court hereby directs the Clerk of Court to forward a copy of this Order and the court's July 23, 2015 Roseboro Order (ECF No. 31) to the plaintiff at the forwarding address supplied on the returned envelope and listed above.

**IT IS SO ORDERED.**



Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

August 28, 2015  
Columbia, South Carolina

